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A/50/598
1 December 1995
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Fiftieth session
Agenda item 78

FINAL TEXT OF A TREATY ON AN AFRICAN NUCLEAR-WEAPON-FREE ZONE

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

I. INTRODUCTION

1. The item entitled "Final text of a treaty on an African nuclear-weapon-free zone" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/138 of 19 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 12 October 1995, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 57 to 78, 80 and 81. The deliberations on those items took place at the 3rd to 11th meetings, from 16 to 20 and on 25 and 26 October 1995 (see A/C.1/50/PV.3-11). Structured discussions of specific subjects within the adopted thematic approach were held from 30 October to 3 November. Consideration of draft resolutions on the items took place at the 13th to 17th meetings, from 6 to 9 November (see A/C.1/50/PV.13-17). Action on the draft resolutions was taken at the 18th to 29th meetings, on 10, 13 to 17, 20 and 21 November (see A/C.1/50/PV.18-29).

4. In connection with item 78, the First Committee had before it a note of the Secretary-General on the final text of the Treaty on an African Nuclear-Weapon-Free Zone (A/50/426).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/50/L.23 AND Rev.1

5. At the 16th meeting, on 8 November, South Africa, on behalf of the members of the Group of African States, introduced a draft resolution entitled "Final text of the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty)" (A/C.1/50/L.23), which was later also sponsored by the Marshall Islands.

6. On 15 November, the sponsors of the draft resolution submitted a revised draft resolution (A/C.1/50/L.23/Rev.1), which contained the following change: operative paragraph 7, which had read:

> "Requests the Secretary-General, within existing resources, to extend to the African States in 1996 such facilities and assistance as may be requested, in order to achieve the aims of the present resolution",

was revised to read:

> "Requests the Secretary-General, within existing resources, to extend assistance to the African States in 1996 in order to achieve the aims of the present resolution."

7. At its 28th meeting, on 20 November, the Committee adopted draft resolution A/C.1/50/L.23/Rev.1 without a vote (see para. 8).

III. RECOMMENDATION OF THE FIRST COMMITTEE

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Final text of the African Nuclear-Weapon-Free Zone Treaty (the Pelindaba Treaty)

The General Assembly,

Bearing in mind the Declaration on the Denuclearization of Africa 1/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its first ordinary session, held at Cairo from 17 to 21 July 1964, in which they solemnly declare their readiness to undertake, through an international agreement to be concluded under United Nations auspices, not to manufacture or acquire control of atomic weapons,

Recalling its resolution 2033 (XX) of 3 December 1965, in which it endorsed the above-mentioned Declaration and expressed the hope that the African States would initiate studies, as they deemed appropriate, with a view to implementing the denuclearization of Africa and take the necessary measures, through the Organization of African Unity, to achieve that end,

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1/ Official Records of the General Assembly, Twentieth Session, Annexes, agenda item 105, document A/5975.

Recalling also article VII of the Treaty on the Non-Proliferation of Nuclear Weapons, 2/ which acknowledges the right of any group of States to conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories,

Bearing in mind paragraph 60 of the Final Document of the Tenth Special Session of the General Assembly, 3/ the first special session devoted to disarmament, which states that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure,

Bearing in mind also the provisions of resolution CM/Res.1592 (LXII/Rev.1) 4/ on the implementation of the Treaty declaring Africa a nuclear-weapon-free zone, adopted by the Council of Ministers of the Organization of African Unity at its sixty-second ordinary session, held at Addis Ababa from 21 to 23 June 1995,

Noting the adoption by the Heads of State and Government of the Organization of African Unity at their thirty-first ordinary session, held at Addis Ababa from 24 to 28 June 1995, of the African Nuclear-Weapon-Free-Zone Treaty (the Pelindaba Treaty),

Noting also that the Treaty contains three Protocols open to the signature of States that, de jure or de facto, are internationally responsible for territories that lie within the limits of the geographical zone established in the Pelindaba Treaty and to the signature of States possessing nuclear weapons, and convinced that the cooperation of such States is necessary for the greater effectiveness of the Treaty,

Recognizing that the establishment of nuclear-weapon-free zones contributes to the strengthening of the international non-proliferation regime,

Considering that the establishment of nuclear-weapon-free zones, especially in the Middle East, would enhance the security of Africa and the viability of the African nuclear-weapon-free zone,

1. Welcomes with special satisfaction the adoption by the African leaders of the final text of the African Nuclear-Weapon-Free-Zone Treaty (the Pelindaba Treaty), which constitutes an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security and which, at the same time, recognizes the right of African countries to use nuclear energy for peaceful purposes in order to accelerate the economic and social development of their peoples;

2/ Resolution 2373 (XXII), annex.

3/ Resolution S-10/2.

4/ A/50/647, annex.

2. Invites the African States to sign and ratify the Pelindaba Treaty as soon as possible;

3. Calls upon all States to respect the continent of Africa as a nuclear-weapon-free zone;

4. Calls upon the States contemplated in Protocol III to the Pelindaba Treaty to take all necessary measures to ensure the speedy application of the Treaty to territories for which they are, de jure or de facto, internationally responsible and which lie within the limits of the geographical zone established in the Treaty;

5. Calls upon the nuclear-weapon States to bring the necessary support to the Pelindaba Treaty by signing the Protocols that concern them as soon as the Treaty becomes available for signature;

6. Expresses its profound gratitude to the Secretary-General for the diligence with which he has rendered effective technical advice and financial assistance to the Organization of African Unity towards the six meetings of the Group of Experts to Prepare a Draft Treaty on an African Nuclear-Weapon-Free Zone, set up jointly by the Organization of African Unity and the United Nations;

7. Requests the Secretary-General, within existing resources, to extend assistance to the African States in 1996 in order to achieve the aims of the present resolution;

8. Decides to include in the provisional agenda of its fifty-first session an item entitled "African Nuclear-Weapon-Free Zone Treaty".

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Fiftieth session
Agenda item 79

RATIONALIZATION OF THE WORK AND REFORM OF THE AGENDA OF THE FIRST COMMITTEE

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

I. INTRODUCTION

1. The item entitled "Rationalization of the work and reform of the agenda of the First Committee" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/85 of 15 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 12th meeting, on 27 October 1995, the First Committee decided to defer the consideration of item 79. Action on the draft decision on this item took place at the 19th meeting, on 13 November 1995.

II. CONSIDERATION OF DRAFT DECISION A/C.1/50/L.51

4. On 9 November, the Chairman submitted a draft decision entitled "Rationalization of the work and reform of the agenda of the First Committee" (A/C.1/50/L.51).

5. At its 19th meeting, on 13 November, the Committee adopted draft decision A/C.1/50/L.51 without a vote (see para. 6).

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III. RECOMMENDATION OF THE FIRST COMMITTEE

6. The First Committee recommends to the General Assembly the adoption of the following draft decision:

Rationalization of the work and reform of the agenda of the First Committee

The General Assembly, welcoming the progress achieved in the rationalization and improvement of the work of the First Committee,

(a) Requests the Chairman of the First Committee to continue consultations on the further rationalization of the work of the Committee with a view to improving further its effective functioning;

(b) Decides, on the recommendation of the First Committee, to defer consideration of the item entitled "Rationalization of the work and reform of the agenda of the First Committee" until its fifty-second session and to include it in the provisional agenda of that session.

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24 November 1995

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Fiftieth session
Agenda item 80

CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

I. INTRODUCTION

1. The item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/86 of 15 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting on 12 October 1995, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely items 57 to 78, 80 and 81. The deliberations on those items took place at the 3rd to 11th meetings, from 16 to 20 and on 25 and 26 October 1995 (see A/C.1/50/PV.3-11). Structured discussions of specific subjects within the adopted thematic approach were held from 30 October to 3 November. Consideration of draft resolutions on those items took place at the 13th to 17th meetings, from 6 to 9 November (see A/C.1/50/PV.11-13). Action on the draft resolutions was taken at the 18th to 29th meetings, on 10, 13-17, 20 and 21 November (see A/C.1/50/PV.18-29).

4. In connection with item 80, the First Committee had before it the following documents:

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(a) Letter dated 8 June 1995 from the Permanent Representative of India to the United Nations addressed to the Secretary-General transmitting the text of the Delhi Declaration issued at the 8th meeting of the Heads of State or Government of the member countries of the South Asian Association for Regional Cooperation, held at New Delhi from 2 to 4 May 1995 (A/50/215-S/1994/475);

(b) Letter dated 26 May 1995 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General transmitting the final document of the Regional Seminar on the National Implementation of the Convention on Chemical Weapons, held at Havana from 14 to 16 March 1995 (A/50/226);

(c) Letter dated 19 June 1995 from the Permanent Representative of Canada to the United Nations addressed to the Secretary-General transmitting the final documents of the Summit of major industrialized countries held at Halifax, Canada, from 15 to 17 June 1995 (A/50/254-S/1995/501);

(d) Letter dated 8 September 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General transmitting the Final Declaration of the Ninth Meeting of Heads of State and Government of the Rio Group, held at Quito on 4 and 5 September 1995 (A/50/425-S/1995/787).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.1/50/L.1 and Rev.1

5. At the 11th meeting, on 26 October, the representative of Hungary, on behalf of Argentina, Australia, Belgium, Brazil, Bulgaria, Canada, Denmark, Finland, Germany, Hungary, Iran (Islamic Republic of), Ireland, Italy, the Netherlands, New Zealand, Poland, the Republic of Moldova, Romania, the Russian Federation, South Africa, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction" (A/C.1/50/L.1), which was later also sponsored by Armenia, Cambodia, Colombia, the Czech Republic, France, Greece, Japan, Norway, the Republic of Korea, Spain, Turkey and Ukraine.

6. On 1 November, the representative of Hungary, on behalf of the sponsors, submitted a revised draft resolution (A/C.1/50/L.1/Rev.1), which was later also sponsored by Afghanistan, Albania, Armenia, Austria, Bangladesh, Belarus, Cambodia, Chile, Croatia, Cyprus, Iceland, Indonesia, Jordan, Lithuania, Monaco, Mongolia, Nigeria, Portugal, Singapore and Slovakia.

7. The revised draft resolution contained the following change: in operative paragraph 4, the dates of the Fourth Review Conference and of the Preparatory Committee for the Conference were added.

8. On 15 November, the Secretary-General submitted the programme budget implications (A/C.1/50/L.59) of draft resolution A/C.1/50/L.1/Rev.1.

9. At its 22nd meeting, on 15 November, the Committee adopted draft resolution A/C.1/50/L.1/Rev.1 without a vote (see para. 14).

B. Draft resolution A/C.1/50/L.14

10. At the 15th meeting, on 7 November 1995, the representative of Canada, on behalf of Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liberia, Lithuania, Luxembourg, Mongolia, Nepal, the Netherlands, New Zealand, Niger, Norway, Oman, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Singapore, Slovakia, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction" (A/C.1/50/L.14), which was later also sponsored by Afghanistan, Belarus, Cape Verde, Chile, Croatia, Cyprus, Latvia, Monaco and Peru. The draft resolution read as follows:

"Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

"The General Assembly,

"Recalling its previous resolutions on the subject of chemical and bacteriological (biological) weapons, in particular resolution 47/39 of 30 November 1992, adopted without a vote, in which it commended the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, 1/

"Noting that the Convention was opened for signature at a signing ceremony in Paris on 13-15 January 1993,

"Acknowledging the establishment of the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons,

"Noting with satisfaction that one hundred and fifty-nine States have signed the Convention since it was opened for signature,

"Also noting that forty-one States have already ratified the Convention and deposited their instrument of ratification,

"Noting the information provided by the Executive Secretary of the Preparatory Commission to the General Assembly at its fiftieth session,

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1/ Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27 (A/47/27), appendix I.

"1. Welcomes the work done so far by the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons in preparation for entry into force and effective implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and urges the early completion of this work;

"2. Encourages States that have not yet done so to sign the Convention and contribute to the achievement of its universality;

"3. Stresses the particular importance of the early entry into force of the Convention and urges States, particularly those that possess chemical weapons, to ratify it as soon as possible in order to contribute to this end;

"4. Decides to include in the provisional agenda of its fifty-first session an item entitled 'Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction'."

11. On 10 November 1995, the representatives of Cuba, India, Iran (Islamic Republic of) and Pakistan submitted amendments (A/C.1/50/L.54) to draft resolution A/C.1/50/L.14 as follows:

(a) Preambular paragraph 6 was to be replaced with the following:

Noting the information provided by the Executive Secretary of the Preparatory Commission to the General Assembly at its forty-eighth, forty-ninth and fiftieth sessions,

(b) New preambular paragraphs 7 and 8 were to be added as follows:

Aware of difficulties in producing a timetable for the implementation of the Convention as the two largest declared possessors of the chemical weapons have not yet ratified the Convention and that a number of issues remain unresolved,

Reiterating that economic and technological development of States parties shall not be hampered and that restrictions, including those in any international agreement, shall not be maintained among the States parties,

(c) Operative paragraph 1 was to be replaced with the following:

1. Notes the work done so far by the Preparatory Commission for the Organization for the Prohibition of Chemical Weapons in preparation for the entry into force and effective implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, and urges the early completion of this work;

(d) A new operative paragraph 3 was to be added as follows:

3. Urges all signatories to participate fully in the work of the Preparatory Commission and to intensify their efforts to resolve outstanding issues, in particular that of removal of existing restrictions in the economic and technological areas.

12. At the 23rd meeting, on 16 November, at the request of the sponsors, draft resolution A/C.1/50/L.14 was withdrawn (see A/C.1/50/PV.23).

13. At the same meeting, the Islamic Republic of Iran, on behalf of the sponsors of the amendments contained in document A/C.1/50/L.54, withdrew those amendments.

III. RECOMMENDATION OF THE FIRST COMMITTEE

14. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling its previous resolutions relating to the complete and effective prohibition of bacteriological (biological) and toxin weapons and to their destruction,

Noting with satisfaction that there are more than one hundred and thirty States parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including all the permanent members of the Security Council,

Bearing in mind its call upon all States parties to the Convention to participate in the implementation of the recommendations of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, including the exchange of information and data agreed to in the Final Declaration of the Third Review Conference, 2/ and to provide such information and data in conformity with standardized procedure to the Secretary-General on an annual basis and no later than 15 April,

Recalling its resolution 46/35 A, adopted without a vote on 6 December 1991, in which it welcomed, inter alia, the establishment, proceeding from the recommendations of the Third Review Conference, 3/ of an ad hoc group of governmental experts open to all States parties to identify and examine potential verification measures from a scientific and technical standpoint,

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2/ BWC/CONF.III/23, part II.

3/ See BWC/CONF.III/23.

Recalling also its resolution 48/65, adopted without a vote on 16 December 1993, in which it commended the final report of the Ad Hoc Group of Governmental Experts to Identify and Examine Potential Verification Measures from a Scientific and Technical Standpoint, 4/ agreed to by consensus at its last meeting at Geneva on 24 September 1993,

Recalling further its resolution 49/86, adopted without a vote on 15 December 1994, in which it welcomed the final report of the Special Conference of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, adopted by consensus on 30 September 1994, 5/ in which the States parties agreed to establish an ad hoc group, open to all States parties, whose objective shall be to consider appropriate measures, including possible verification measures, and draft proposals to strengthen the Convention, to be included, as appropriate, in a legally binding instrument to be submitted for the consideration of the States parties,

Recalling the provisions of the Convention related to scientific and technological cooperation and the related provisions of the Final Document of the Third Review Conference, the final report of the Ad Hoc Group of Governmental Experts and the final report of the Special Conference of the States Parties to the Convention, held from 19 to 30 September 1994,

1. Welcomes the information and data provided to date, and reiterates its call upon all States parties to the Convention to participate in the exchange of information and data agreed to in the Final Declaration of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction;

2. Also welcomes the work begun by the Ad Hoc Group in pursuing the mandate established by the Special Conference of the States Parties to the Convention on 30 September 1994 and urges the Ad Hoc Group, in accordance with its mandate, to complete its work as soon as possible and submit its report, which shall be adopted by consensus, to the States parties to be considered at the Fourth Review Conference or later at a Special Conference;

3. Requests the Secretary-General to continue to render the necessary assistance to the depository Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Third Review Conference, as well as the decisions contained in the Final Report of the Special Conference, including all necessary assistance to the Ad Hoc Group;

4. Notes that, at the request of the States parties, a Fourth Review Conference of the Parties to the Convention will be held at Geneva from

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4/ BWC/CONF.III/VEREX/9 and Corr.1.

5/ BWC/SPCONF/1.

25 November to 13 December 1996, that, following appropriate consultations, a Preparatory Committee for that Conference has been formed, open to all parties to the Convention, and that the Committee will meet at Geneva from 9 to 12 April 1996;

5. Requests the Secretary-General to render the necessary assistance and to provide such services as may be required for the Fourth Review Conference and its preparations;

6. Calls upon all signatory States that have not yet ratified the Convention to do so without delay, and also calls upon those States that have not signed the Convention to become parties thereto at an early date, thus contributing to the achievement of universal adherence to the Convention;

7. Decides to include in the provisional agenda of its fifty-first session the item entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

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CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

Corrigendum

Page 5, paragraph 13

The paragraph should read

13. At the same meeting, the representative of the Islamic Republic of Iran, on behalf of the sponsors of the amendments contained in document A/C.1/50/L.54, stated that they would not press the amendments to action.

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